

APPENDIX 5

APPENDIX 5**DEPOSITION OF ELIZABETH R. HOMEWOOD (December 21, 2011)**

<i>e</i>Plus Affirmative Designation	Lawson Fairness Designations/ Summaries	<i>e</i>Plus Objections to Lawson Fairness Designations	<i>e</i>Plus Objections to Lawson Fairness Summaries
8:11 - 8:13	17:5 - 17:6	LR 30(F)	
11:18 - 11:19	18:11 - 18:22		
12:9 - 12:17	22:21 - 22:22	LR 30(F)	
16:7 - 16:8	23:9 - 24:1		
16:13 - 17:2	25:4 - 25:10		
17:3 - 17:4	26:3 - 26:19		
17:7 - 17:12	28:1 - 28:18		
19:8 - 19:18	28:20 - 29:16	LR 30(F) (29:1-16)	
19:21 - 20:5	29:18 - 29:22		
21:2 - 21:10	30:9 - 31:3		Mischaracterizes witness's testimony. (30:9-18 Witness did not address whether Lawson stopped supporting M3, only providing maintenance) (30:19-31:3 Testimony was that witness did not remember the specific date.)
22:12 - 22:17	31:6 - 31:8		
22:18 - 22:20	31:10 - 31:20		
23:1 - 23:8	32:1 - 32:6		
33:20 - 34:3	32:13		
36:2 - 36:8	32:15 - 33:13	FRE 602 (33:11-13)	
36:11 - 36:12	34:20 - 35:1		
36:14 - 37:4	35:12 - 35:13	FRE 106	
37:5 - 37:10	37:11 - 37:14	LR 30(F)	
38:22 - 39:3	38:1 - 38:7	LR 30(F)	
39:5 - 39:10	38:18 - 38:21	LR 30(F)	
39:13	39:11 - 39:12	LR 30(F)	
44:6 - 44:19	39:15 - 40:19	FRE 602 (40:16-19)	Mischaracterizes witness's testimony. (Witness did not address whether Lawson stopped supporting M3, only licensing and maintenance)

APPENDIX 5**Elizabeth R. Homewood (Dec. 21, 2011)****ePlus Objections to Lawson Fairness Designations and Summaries**

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44:22	40:21 - 40:22	FRE 602	Mischaracterizes witness's testimony. (Witness did not address whether Lawson stopped supporting M3, only providing maintenance)
46:21 - 47:2	42:12 - 42:15		
47:21 - 48:2	42:18		
60:18 - 61:1	48:4 - 48:19		
61:14 - 61:19	48:22 - 49:17		
64:3 - 64:9	51:4 - 51:19	LR 30(F)	
68:20 - 69:6	51:21 - 52:3		
69:9 - 69:13	52:5 - 52:11	FRE 401/402, FRE 403 (52:9-11)	
69:15 - 69:21	52:14 - 52:15	FRE 401/402, FRE 403	
70:5 - 70:18	52:17 - 54:5	FRE 403 (53:7-20)	
70:19 - 70:22	54:8		
71:3	54:10 - 55:2		
71:5 - 71:8	55:6 - 55:11	FRE 403	
71:11	55:13	FRE 403	
71:13 - 72:2	55:15 - 55:19		
72:4 - 72:7	55:22 - 56:2		
72:9 - 72:10	56:4 - 56:15	FRE 403 (56:13-15)	
72:17	56:19	FRE 403	
75:4 - 75:10	63:1 - 63:18	FRE 403	Mischaracterizes witness's testimony. (Witness did not address whether Lawson stopped supporting M3, only providing maintenance)
78:1 - 78:6	67:17 - 68:4		
78:9	72:3	LR 30(F)	
83:12 - 84:3	72:11 - 72:13	LR 30(F)	
84:9 - 84:12	72:19 - 73:5		Incomplete summary. (Witness testified she was unaware of support, but Lawson may have provided services.)
84:15	77:12 - 77:22		
88:14 - 88:16	78:7 - 78:8	LR 30(F)	
88:19 - 88:20	78:11 - 78:16	FRE 403	
94:18 - 95:1	78:20	FRE 403	

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95:3 - 95:6	80:4 - 81:1		
101:13 - 102:2	81:5 - 81:17		
102:15 - 102:20	81:20 - 81:21		
103:2	82:1 - 83:11	FRE 401/402, FRE 403 (82:1-15)	
103:4 - 103:20	85:15 - 86:2	FRE 403, FRE 106	
104:4 - 104:5	88:22 - 89:11	FRE 106	
104:7 - 104:9	91:1 - 91:10	LR 30(F), FRE 106	Mischaracterizes witness's testimony (Witness testified that she did not recall if the description was accurate). Fails to summarize witness's testimony. (Summarized passage was attorney reading exhibit, not witness testimony.)
105:20 - 105:22	92:14 - 92:16	FRE 401/402, FRE 403	
106:3	92:22 - 93:1	FRE 401/402, FRE 403	
106:5 - 106:7	93:3 - 93:7	FRE 401/402, FRE 403	
106:9	93:11	FRE 401/402, FRE 403	
107:2 - 107:4	93:13 - 93:17	FRE 401/402, FRE 403	
107:19 - 107:22	93:22	FRE 401/402, FRE 403	
108:3 - 108:4	94:2 - 94:6	FRE 401/402, FRE 403	
108:6 - 109:9	94:11	FRE 401/402, FRE 403	
109:18 - 109:21	95:2	LR 30(F)	
110:4 - 110:12	98:12 - 98:17		
114:22 - 115:2	98:20 - 99:19		
115:6	100:17 - 101:2	FRE 401/402, FRE 403	
115:10	101:8	FRE 401/402, FRE 403	
115:15 - 116:7	102:3 - 102:14		
118:20 - 119:6	102:21 - 103:1	LR 30(F)	
120:7 - 120:13	104:15 - 105:4	FRE 401/402, FRE 403, FRE 602 (104:15-22)	
120:16 - 120:19	106:1 - 106:2	LR 30(F)	
132:12 - 132:15	106:8	LR 30(F)	
132:21 - 133:1	109:10 - 109:16	LR 30(F)	
134:3 - 134:7	115:3 - 115:4	LR 30(F)	
134:11	115:7 - 115:9	LR 30(F)	
135:18 - 135:20	116:8 - 116:16		

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136:5 - 136:6	116:20 - 116:21		
155:16 - 156:11	117:1 - 117:12		
156:15	120:14 - 120:15	LR 30(F)	
156:17 - 157:7	124:18 - 125:18	FRE 403, FRE 801/802	Mischaracterizes witness's testimony. (Witness only testified that she did not come across such customers in her conversations with Ms. Anderson.)
158:19 - 159:1	134:8 - 134:10	LR 30(F)	
159:7 - 159:10	134:13 - 134:18	FRE 401/402, FRE 403	
169:5 - 170:4	134:21 - 135:4	FRE 401/402, FRE 403	
178:15 - 178:17	136:3 - 136:4	LR 30(F)	
178:20	138:10 - 138:16	FRE 403	
	139:6 - 139:13		
	139:19		
	141:13 - 142:7		
	142:19 - 142:22		
	143:13 - 143:15		
	143:18		
	143:20 - 144:2		
	144:5 - 144:7		
	146:4 - 146:18	FRE 401/402, FRE 403	
	146:21 - 147:15	FRE 403	
	147:17 - 147:18	FRE 403	
	150:11 - 150:16		
	150:18 - 151:6		Incomplete summary. (Witness also testified that if the issue still applied in another part of the product, a ticket was opened or changed).
	156:12 - 156:14	LR 30(F)	
	157:20 - 158:8	FRE 602	
	158:11 - 158:18	FRE 602	
	159:2 - 159:3	LR 30(F)	
	173:10 - 173:15	FRE 401/402, FRE 403	

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	175:8 - 176:17	FRE 611(c) (175:15-176:5); FRE 403 (176:6-17)	Mischaracterizes witness's testimony. (Witness only testified that she was not aware of any healthcare provider who received fix before June 3 and was not on the list)
	176:22	FRE 403	Mischaracterizes witness's testimony. (Witness only testified that she was not aware of any healthcare provider who received fix before June 3 and was not on the list)
	177:2 - 177:5	FRE 403	Incomplete summary. (Witness also testified that downloading RQC did permit the customer to obtain service on Core 3.)
	177:11 - 178:6	FRE 403, FRE 106 (177:11-15); FRE 401/402, FRE 403 (177:20-178:6)	Incomplete summary. (Witness also testified that downloading RQC did permit the customer to obtain service on Core 3.)
	178:11 - 178:14		
	178:18	LR 30(F)	